

# Monitoring Appendix D

## Sample Memorandum of Understanding

### I. PURPOSE

The purpose of this agreement is to establish and maintain an effective cooperative relationship between the \_\_\_\_\_ Tribal Nation and the State of \_\_\_\_\_, Department of Human Services, Division of Child Care, and to share information regarding licensed child care facilities in the \_\_\_\_\_ counties with which the \_\_\_\_\_ Tribal Nation has children in state licensed facilities and to share client information concerning child care assistance.

### II. LEGAL BASIS

The Department of Health and Human Services, Administration for Children and Families has promulgated certain rules promoting coordination and consultation of said parties. Specifically, Federal Register/Vol. 57 No. 150/Tuesday, August 4, 1992/Rules Regulations 98.12 Coordination and Consultation. The lead agency must: © Coordinate to the maximum extent feasible, with any Indian tribes in the state submitting applications in accordance with subpart 1 of this part. Coordination (Section 98.82 of the Regulations) Section 8500(c) (2) (A) of the Act requires Tribal applicants to coordinate to the maximum extent feasible, with the lead agency in the state or states in which the applicant will carry out the Block Grant Program.

The \_\_\_\_\_ Child Care Licensing Program and the Department of Human Services, Division of Child Care agree to consult, coordinate, and share case documents to promote, support and service licensed child care facilities and the children they serve in the service delivery area of the \_\_\_\_\_ Nation.

The \_\_\_\_\_ Nation Licensing Program and the Department of Human Services, Division of Child Care agree to maintain standards of confidentiality with regard to interagency communication concerning joint clientele. Division of Child Care supervisors assigned to the identified service area and the \_\_\_\_\_ will be key individuals to assure that agreed upon information is shared. The both agencies agree to share monitoring information on mutually licensed and contracted facilities, exchange of case documents, the coordination of complaint investigations, and to notify each other of denials, revocations, or injunctions against the operation of any contracted facilities in the service area.

### III. MISCELLANEOUS PROVISIONS

- A. All provisions of the agreement will become effective upon the signature of all persons shown below.
- B. Media and technical information releases which involve the cooperative efforts of the \_\_\_\_\_ Nation Licensing Program and the \_\_\_\_\_ Department of Human Services, Division of Child Care will be mutually agreed upon by the respective agencies prior to their release.
- C. All information regarding child care assistance clients is confidential and will be safeguarded by both agencies, except what is designated as public record.

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- D. Both parties shall comply with provisions of the Civil Rights Act of 1964 and all other appropriate laws, rules and regulations dealing with Civil Rights and Affirmative Action to the extent that said Act and laws, rules and regulations are applicable to the parties hereto.
- E. Both parties will participate in an annual evaluation of the MOU.
- F. This cooperative agreement shall be effective and binding until thirty (30) days after receipt of written notification of termination by either party at which time the agreement is terminated.
- G. This cooperative agreement may be amended by mutual consent in order to maintain compliance with any changes pursuant to Federal, State, \_\_\_\_\_ Nation or local policies affecting agreement, rulings, pertinent regulations or funding.

IN WITNESS WHEREOF, the \_\_\_\_\_ Nation \_\_\_\_\_ Program and the \_\_\_\_\_ Department of Human Services, Division of Child Care through respective officials, have executed this cooperative agreement on the \_\_\_\_\_ day of \_\_\_\_\_, in duplicate copies to the \_\_\_\_\_ Nation and to the Department of Human Services.

Signatures of Tribal Chief, Agency Director, and Dates

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